

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANDREW CORZO, SIA HENRY, ALEXANDER  
LEO-GUERRA, MICHAEL MAERLENDER,  
BRANDON PIYEVSKY, BENJAMIN SHUMATE,  
BRITTANY TATIANA WEAVER, and  
CAMERON WILLIAMS, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA  
INSTITUTE OF TECHNOLOGY, UNIVERSITY  
OF CHICAGO, THE TRUSTEES OF COLUMBIA  
UNIVERSITY IN THE CITY OF NEW YORK,  
CORNELL UNIVERSITY, TRUSTEES OF  
DARTMOUTH COLLEGE, DUKE UNIVERSITY,  
EMORY UNIVERSITY, GEORGETOWN  
UNIVERSITY, THE JOHNS HOPKINS  
UNIVERSITY, MASSACHUSETTS INSTITUTE  
OF TECHNOLOGY, NORTHWESTERN  
UNIVERSITY, UNIVERSITY OF NOTRE DAME  
DU LAC, THE TRUSTEES OF THE  
UNIVERSITY OF PENNSYLVANIA, WILLIAM  
MARSH RICE UNIVERSITY, VANDERBILT  
UNIVERSITY, and YALE UNIVERSITY,

Defendants.

Case No.: 1:22-cv-00125

**Hon. Matthew F. Kennelly**

**[PROPOSED] ORDER RE: JUNE 9, 2023, JOINT STATUS REPORT**

Pending before the Court is the June 9, 2023, Joint Status Report (“JSR”) (Dkt. No. 377).

Upon consideration of the JSR and for the reasons set forth at the status hearing on the same, it is  
ORDERED that:

1. No party may apply an Attorneys’ Eyes Only designation to more than 5% of the  
documents produced by that party. Any party that is currently designating more than 5% of its

documents produced as Attorneys' Eyes Only shall reduce that percentage of designations to 5% or less not later than June 30, 2023.

2. Section 6(c) of the Confidentiality Order (Dkt. No. 254) shall be amended to include a subparagraph eight (8) as set forth on page three of the JSR, as follow:

**Employees at Depositions.** During their depositions or in preparation for their deposition, witnesses in this action who are current employees of the Party from which the documents originated, provided that counsel for the party intending to disclose the information has a good-faith basis for believing that such information is relevant to events, transactions, discussions, communications, or data about which the witness is expected to testify or about which the witness may have knowledge. Witnesses shall not retain a copy of **ATTORNEYS' EYES ONLY** documents, except witnesses may receive a copy of all exhibits marked at their depositions in connection with review of the transcripts and may receive sealed copies of exhibits for a remote deposition pursuant to any remote deposition stipulation or order that the Court may subsequently enter. Pages of transcribed deposition testimony or exhibits to depositions that are designated **ATTORNEYS' EYES ONLY** pursuant to the process set out in this Order must be separately bound by the court reporter and may not be disclosed to anyone except as permitted under this Order;

3. Defendant shall continue to clarify their structured data productions promptly in accordance with Plaintiffs' requests in writing from time to time, including but not limited to which data fields constituting the Expected Family Contribution (EFC) each of the Defendants actually used in making their financial need and aid determinations in each year from 2003-2022, without the need for Interrogatories, Requests for Production of Documents, Rule 30(b)(6) depositions, or other formal procedures. By June 23, 2023, each Defendant shall identify for Plaintiffs the data field that constituted the actual EFCs that each Defendant used in making its financial aid determinations.

4. Plaintiffs having waived any FERPA restrictions for data and documents related to Plaintiffs, Defendants shall provide copies of records necessary for Plaintiffs to respond to Defendants' Interrogatories 1 and 2, including the categories and amounts of financial aid

offered and provided by Defendants to Plaintiffs. Defendants will let Plaintiffs know if, after a reasonable search, they are unable to locate any of the necessary records.

5. The parties shall meet and confer not later than June 21, 2023, to identify in writing for each Defendant (a) the Consensus Methodology elements documents for each year Plaintiffs are missing, and (b) the Consortium on Financing Higher Education (“COFHE”) color books or pages for each year Plaintiffs are missing; and Defendants shall search for and produce all of same by June 30, 2023.

SO ORDERED:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Matthew F. Kennelly  
United States District Judge